

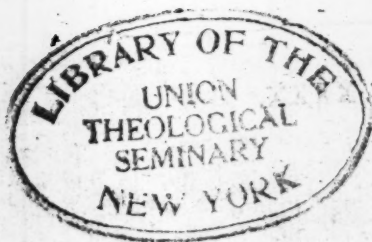
CERTAINE
CONSIDERATIONS
TOVCHING THE
better Pacification, and
Edification of the Church of
ENGLAND.

Dedicated to His most Excellent
Majesty.

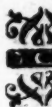
*See y^e last tract in this
A very grave & sober discourse. book.*



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CERTAINE
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*Dedicated to His most Excellent
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HE Unitie of Your
Church, (*Excellent So-
veraigne*) is a thing no
lesse precious, than
the Union of your
Kingdomes, being
both Workes wherein
your happinesse may
contend with your
worthinesse. Having
therefore presumed

not, without your Majesties gracious acceptation
to say somewhat of the one, I am the more in-
couraged not to be silent in the other; the ra-
ther, because it is an Argument that I have tra-
velled heretofore: But *Solomon* commendeth a

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word spoken in season; and as our Saviour (speaking of the discerning of seasons) saith, *when you see a cloud rising in the west, you say it will be a shewre: So your Maiessty, rising to this Monarchie in the West parts of the World, doth promise a sweet and fruitfull houre of many blessings upon this Church and Common-wealth, a shewre of that influence, as the very first dewes and drops thereof, have already layd the stormes and windes throughout Christendome, reducing the very face of Europe, to a more peaceable and amiable Countenance. But to the purpose.*

shower

It is very true that these Ecclesiasticall matters, are things not properly appertaining to my profession, which I was not so inconsiderate, but to object to my selfe; but finding that it is many times scene, that a man that standeth off, and somewhat removed from a plot of ground, doth better survey it and discover it, than those which are upon it, I thought it not possible, but that I as a looker on, might cast mine eyes upon some things which the actors themselves, (especially some being interested, some led and addicted, some declared and ingaged) did not, or would not see; and that knowing in my Conscience, whereto God beareth witness, that the things which I shall speake, spring out of no vaine of popularitie, ostentation, desire of noveltie, partialitie to either side, disposition to intermeddle, or any the like Leven I may

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may conceive hope, that what I want in depth of judgement, may be countervailed in simplicitie, and sinceritie of affection. But of all things, this did most animate me, that I found in these opinions of mine, (which I have long held and embraced, as may appeare by that which I have many yeares since written of them, according to the proportion, neverthelesse of my weakenesse) a consent and confirmity with that which your Majesty hath published, of your owne most Christian, most wise and moderate sence in these causes: wherein you have well expressed to the World, that there is infused in your sacred brest from God, that high principle and position of Government, *That you ever hold the whole more deere, than any part.*

For who seeth not, that many are affected and give opinion in these matters, as if they had not so much a desire to purge the evil from the good, as to countenance and protect the evil by the good. Others speake as if their scope were onely to set forth what is good, and not to seeke forth what is possible, which is to wish and not to propound. Others proceed, as if they had rather a minde of removing, then of reforming. But howsoever either side as men, though excellent men shall run into extremities, yet your Maiesty, as a most wise, equall, & Christian Moderator, is disposed to find out the golden Mediocrity, in the establishment of that which is sound, and in the reparation of that which

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which is corrupt and decayed. To your Princely judgement then I doe in all humbleness, submit whatsoever I shall propound, offering the same but as a mite into the Treasurie of your Wisdome? For as the Astronomers do wel observe, that when three of the superiour Lights do meet in conjunction, it bringeth forth some admirable effects: so there being joyned in your Majesty the light of Nature, the light of Learning, and above all the light of Gods holy spirit, it cannot be but your government must be as a happy constellation over the States of your Kingdomes. Neither is there wanting to your Majesty that fourth Light, which though it be but a borrowed Light, yet is of singular efficacie and moment added to the rest, which is the Light of a most wise, and well compounded Councell, to whose Honourable and grave Wisdomes I doe likewise submit whatsoever I shall say; Hoping that I shall not need to make protestation of my mind and opinion, that untill your Majesty doth otherwise determine and order, all actual and full obedience is to be given to Ecclesiasticall jurisdiction, as it now stands; and when your Majesty hath determined and ordered, that every good Subject ought to rest satisfied, and apply his obedience to your Majesties Lawes, Ordinances, and Royall commandements. Nor of the dislike I have of all immodest bitterness, peremptorie presumption, popular handling, and other courses
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tending rather to rumour and impression in the vulgar sort, then to likelyhood of effect, ioyned with observation of dutie.

But before I enter into the points controverted I think good to remove (if it may be) two opinions, which doe directly confront and oppone to reformation, the one bringing it to a nullitie, and the other to an impossibilitie. The first is, *That it is against good policie to innovate anything in Church matters.* The other, *That all reformation must be after one Platforme.*

For the first of these, it is excellently said by the Prophet, *State super vias antiquas, & videte quænam sit via recta & vera, & ambulare in ea.* So as he doth not say, *State super vias antiquas, & ambulate in eis.* For it is true, that with all wise and moderate persons, custome and vsage obtaineth that reverence, as it is sufficient matter to moove them to make a stand, and to discover and take a view, but it is no warrant to guide or conduct the; a iust ground I say it is of deliberation, but not of direction. But on the other side, who knoweth nor that time is truly compared to a streame, that carieth downe fresh and pure waters into that salt sea of corruption which invironeth all humane actions? And therefore if man shall not by his industry, vertue, and policie, as it were with the oare row against the streame and inclination of time, all institutions & ordinances, be they never

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so pure will corrupt and degenerate: But not to handle this matter common -place-like, I would only aske, why the Civill State should be purged and restored by good and wholefom Lawes made every third & fourth yeere in Parliaments assembled, devising remedies as fast as time breedeth mischiefs, and contrariwise the Ecclesiastical State should still continue vpon the dregs of time, and receive no alteration now for these five and forty yeares and more? If any man shall object, that if the like intermission had beene used in Civill causes also, the error had not beene great. Surely, the wisdom of the Kingdome hath beene otherwise in experience, for three hundred yeares space at the least. But if it be said to me, that there is a difference betweene Civill causes and Ecclesiasticall, they may as well tell me, that Churches and Chappels need no reparations, though Castles and houses doe, whereas commonly to speake truth, dilapidations of the inward and spirituall edifications of the Church of God are in all times as great, as the outward and materiall. Sure I am, that the very word and stile of Reformation used by our Saviour, *ab initio non fuit ita*, was applied to Church-matters, and those of the highest nature concerning the Law morall.

Neverthelesse, hee were both unthankfull and unwise that would deny, but that the Church of *England* during the time of Queene *Elizabeth* of famous

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famous memorie did flourish. If I should compare it with forrein Churches, I would rather the comparison should be in the vertues, then as some make it, in the defects; rather I say, as betweene the Vine & the Oline, which should be most fruitfull, & not as between the Bryer and the Thistle, which should be most vnprofitable. For that reverence should be used to the Church which the good Sonnes of *Noah* vsed to their fathers nakednesse, that is, as it were to goe backward, and to helpe the defects thereof, and yet to dissemble them. And it is to be acknowledged, that scarcely any Church since the *Primitive Church*, yeelded in like manner of yeares and Latitude of Countrey, a greater number of excellent Preachers, Famous Writers, and graue Gouvernours. but for the Discipline and Orders of the Church, as, many and the chiefeft of them are very holy and good, so yet if *Saint Iohn* were to indite an Epistle to the Church of *England* as he did to them of *Asia*, it would sure haue the clause *Habeo adversus te pauca*. And no more for this point, saving that as an appendix thereunto, it is not amisse to touch that objection, which is made to the time, and not to the matter, pretending that if Reformation were necessary, yet it were not now reasonable at your *Majesties* first entrance. Yet *Hippocrates* saith, *Si quid moues, à principio moue*. And the wisdom of all examples doth shew, that the wisest *Princes*, as they haue euer

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been the most sparing in remooving or alteration of Servants and Officers vpon their comming in; so for removing of abuses and enormities, and for reforming of Lawes and the policie of their States, they have chiefly sought to enable and commend their beginnings therewith, knowing that the first impression with people continueth long, and when mens mindes are most in expectation and suspence, then are they best wrought and managed. And therefore it seemeth to me, that as the spring of nature, I meane the spring of the yeare, is the best time for purging and medicining the naturall body; so the spring of Kingdoms, is the most proper season for the purging and rectifying of politike bodies.

There remaineth yet an objection rather of suspicion then of reason; and yet such as I thinke maketh a great impression in the mindes of very wise and well affected persons; which is, *That if way be given to mutation, though it be in taking away abuses, yet it may so acquaint men with sweetnesse of change, as it will undermine the stabilisie even of that which is sound and good.* This surely had beene a good and true allegation in the ancient contentions and divisions between the people and the Senate of Rome, where things were caried at the appetites of multitudes which can never keepe with in compasse of any moderation. But these things being with us to have an orderly passage under

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under a King who hath a *Royall power*, and approved Iudgment, and knoweth as well the measure of things, as the nature of them, is surely a needlesse feare. For they need not doubt; but your Maiefty with the advise of your Councell, will discern what things are intermingled like the tares amongst the wheat, which have their rootes so inwrapped and intangled, as the one cannot be pulled up without indangering the other, and what are mingled, but as the chaffe and the corne, which needs but a fanne to sift and sever them. So much therefore for the first point, of no reformation to be admitted at all.

For the second point. That there should be but one form of *Discipline* in all Churches, and that imposed by a necessity of a commandement and prescript out of the Word of God; it is a matter Volumes have bene compiled of, and therefore cannot receive a brieve redargution. I for my part doe confesse, that in revealing the Scriptures I could never find any such thing, but that God had left the like liberty to the *Church government*, as he hath done to the *Civill Government*, to be varied according to time and place and accidents, which neverthelesse his high and divine providence doth order and dispose; for all *civill governments* are restrained from God unto the generall grounds of Iustice and manners, but the policies and formes of them are left free. So that

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Monarchies and Kingdomes, *Senates* and *Seignories*; popular States and *Communalities*, are all lawfull, and where they are planted ought to bee maintained inuiolate.

N So likewise in Church matters, the substance of Doctrin is immutable, and so are the generall Rules of gouernment; but for Rites and Ceremonies, and for the particular *Hierarchies*, policies, and Disciplines of Churches, they be left at large. And therefore it is good wee returne unto the ancient bonds of vnity, in the Church of God, which was one *Faith*, one *Baptisme*; and not one *Hierarchie*, one *Discipline*, and that wee obserue the league of *Christians*, as it is penned by our Saviour *Christ*, which is in substance of Doctrin; this, *Hee that is not with us is against vs*. But in things indifferent and but of Circumstance, this: *He that is not against vs, is with vs*. In these things so as the generall rules be obserued, that *Christs* stocke be fed, that there be a succession in *Bishops* and *Ministers*, which are the *Prophets* of the *New Testament*, that there be a due and reuerent vse of the power of the *Keyes*, that those that *Preach* the *Gospell*, liue of the *Gospell*; that all things tend to *Edification*; that all things be done in order and with decency, and the like; the rest is left to the holy wisdom and spirituall builders in *Christs Church*, as it is excellently alluded by that Father that noted that *Christs Garment* was without

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out seame, and yet the Churches garment was of divers colours, and thereupon setteth downe for a Rule, *In veste varietas fit, scissura non fit.*

In which variety neverthelesse it is a safe and a wise course to follow good examples and presidents. But then the rule of imitation and example, is to consider not onely which are the best, but which are the likest, as namely the government of the Church, in the purest times of the first good Emperours that imbraced the *Faith*. For the times of persecution before temporall *Princes* received the *Faith*, as they were excellent times for doctrine & manners, so they be vnproper and vnlike examples of outward government and policy. And so much for this point: now to the particular points of Controversies, or rather Reformation.

Circumstances in the Government of Bishops.

First therefore for the Government of Bishops, I for my part not prejudging the Presidents of other reformed Churches doe hold it Warranted by the Word of God, and by the practise of the ancient Church in the better times, and much more convenient for Kingdomes then parity of Ministers, and government by Synods. But then further it is to be considered, that the Church is not
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now to plant or build, but onely to bee pruned from corruptions and repaired; and restored in some decayes.

For it is worth the noting, that the Scripture saith, *Translatio Sacerdotio, necesse est ut & Legis fiat translatio*. It is not possible in respect of the great and neere Sympathie betweene the *State Civill*, and the *State Ecclesiasticall*, to make so maine an alteration in the Church, but it would have a perillous operation upon the Kingdome; and therefore it is fit, that controversie be in peace and silence.

N But there bee two circumstances in the administration of Bishops, wherein I confessed I could never be satisfied. The one, *the sole exercise of their authoritie*: The other, *The Deputation of their authoritie*.

For the first, the Bishop giveth orders alone, excommunicateth alone, judgeth alone. This seemes to be a thing almost without example in government, and therefore not vnlikely to have crept in the degenerate and corrupt times: Wee see the greatest Kings and monarchs have their Councils; There is no temporal Councell in *England* of the higher sort where the authority doth rest in one person. The Kings-bench, Common-pleas and the Exchequer, are benches of a certain number of Judges. The Chancellor of *England* hath an Assistance of 12 Masters of the Chancerie. The Master of the Wards hath a councill of the Court. So hath

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hath the Chancellor of the Duchie. In the Exchequer chamber, the *Lord Treasurer* is joyned with the Chancellor and the Barons; The Masters of the Requests are ever more than one. The Iustices of Assize are two. The *Lord Presidents* in the Marches and in the North, have counceils of diverse. The Starre chamber is an assembly of the Kings privie Councell aspersed with *Lords* Spirituall and Temporall. So as in all Courtes the principall person hath ever either *Colleagues* or *Affessars*.

The like is to be found in other well governed Kingdoms abroad where the jurisdiction is yet more distributed, as in the Courts of Parliament of *France*, and in other places. No man will deny, but the Acts that passe the *Bishops* jurisdiction, are of as great importance as those that passe the *Civil Courts*; for mens soules are more precious then their bodies or goods, & so are their good names. *Bishops* have their infirmities, and have no exception from that generall malediction which is pronounced against all men living, *Va solus, nam si occideris, &c.* Nay, we see that the first warrant in Spirituall causes is directed to a number *Dei Ecclesia*, which is not so in temporall matters. And we see that in generall causes of Church government, there are aswel assemblies of all the *Clergie* in Councils, as of the States in *Parliaments*, whence should this sole exercise of jurisdiction come? Surely, I doe suppose and thinke upon ground, that *ab initio*

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non fuit ita; and that the Deanes and Chapters were Counsels about the Seas and chayres of *Bishops* at the first, and were unto them a *Presbyterie*, or *Consistorie*, and intermeddled not onely in the disposing of their revenues and endowments, but much more in jurisdiction Ecclesiasticall. But it is probable, that the *Deane* and *Chapter* stuck close to the *Bishops* in matters of profit and the world; and would not loose their hold; but in matters of jurisdiction, (which they accounted but trouble and attendance) they suffered the *Bishops* to encroach and usurpe, and so the one continueth, and the other is lost. And wee see that the *Bishop of Rome*, (*fas est & ab hoste doceri*), and no question in that *Church* the first institutions were excellent) performeth all Ecclesiasticall jurisdiction as in *Consistory*.

And whereof consisteth this *Consistory*, but of the parish Priests of *Rome*, which terme themselves *Cardinals*, *a cardinibus mundi*, because the *Bishop* pretendeth to be universal over the whole world. And hereof againe we see divers shadowes yet remaining; as that the *Deane* and the *Chapter*, *pro forma* chooseth the *Bishop*, which is the highest point of jurisdiction. And that the *Bishop* when hee giveth orders, if there be any Ministers casually present, calleth them to ioyne with him in imposition of hands, and some other particulars; And therefore it seemes to me a thing reasonable and religi-

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ous, and according to the first institution, that Bishops in the greatest causes, and those which require a spirituall discerning, namely in ordaining, suspending or depriving Ministers in Excommunication being restored to the true and proper use as shall be afterwards touched; in sentencing the validity of Marriages, and legitimations, in judging causes criminous, as Symonie, Incest, Blasphemy, and the like, should not proceed sole and unassisted; which point as I understand, is a Reformation that may be planted *sine strepitu*, without any perturbation at all, and is a matter which will give strength to the Bishops, countenance to the inferiour degrees of Prelates or Ministers, and the better issue or proceeding in those causes that shall passe.

And as I wish this strength given to the Bishops by Councell, so it is not unworthy your *Majesties* Royall consideration, whether you shall not think fit to give strength to the general Counsel of your *Clergie*, the *Convocation House*, which was then restrained, when the state of the *Clergie* was thought a suspected part to the Kingdome in regard of their late homage to the Bishop of *Rome*, which state now will give place to none in their loyaltie and devotion ~~but~~ to your *Majesty*.

For the second point, which is the Deputation of their authority, I see no perfect and sure ground for that neither, being somewhat different

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rent from the examples and rules of government. The *Bishop* exerciseth his jurisdiction by his *Chancellor* and *Commissarie*, *Official* &c. Wee see in all Lawes in the world, *Offices* of confidence and skill cannot be put over nor exercised by deputie, except it be especially contained in the originall grant, and in that case it is dutifull. And for experience, there was never any Chancellour of *England*, made a Deputie. There was never any Iudge in any Court, made a Deputie. The *Bishop* is a Iudge, and of a high Nature, whence commeth it that he should depute, considering that all trust and confidence as was said, is personall and inherent, and cannot or ought not, to be transposed? Surely in this againe *ab initio non fuit ita*, but it is probable, that *Bishops* when they gave themselves too much to the glory of the World, and became *Grandes* in Kingdomes, and great Counsellors to Princes, then did they beleague their proper jurisdiction as things of too inferiour a nature for their greatnesse; and then after this similitude and imitation of Kings and Counts Palatine, they would have their Chancellours and Iudges.

But that example of Kings and Potentates giveth no good defence. For the reasons why Kings administer by their Iudges, although themselves are supream Iudges, are two; The one because the *Offices* of Kings are for the most part of inheritance,

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heritance, and it is a rule in all Lawes; *That Offices of inheritance are rather matters that sound in interest, then in confidence*, for as much as they may fall upon Women, upon Infants, upon Lunatiques and Idiots, persons incapable to execute judicature in person, and therefore such Officers by al Lawes might ever be exercised and administred by delegation. The second reason is, because of the amplitude of their jurisdiction, which is as great as either their birth-right from their Ancestors, or their sword-right from God, maketh it. And therefore if *Moses* that was Governour over no great people, and those collected together in a Campe, and not scattered in Provinces & Cities, himselfe likewise of an extraordinary spirit, was neverthelesse not able to suffice and hold out in person to judge the people, but did by the advise of *Jehro* approved from God, substitute Elders and Iudges, how much more other Kings and Princes?

are founded

There is a third reason likewise, not much to the present purpose, and that is: That Kings either in respect of the Common wealth, or of the greatness of their own Patrimonies are usually parties in lutes, and then their Iudges stand indifferent betweene them and the Subject. But in the case of *Bishops*, none of these reasons hold. For first their Office is elective and for life, and not patrimonial or hereditary; an Office meerly of confidence, science and qualification. And for the second rea-

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son, it is true that their jurisdiction is ample and spacious, and that their time is to bee divided betweene the labours as well in the Word and Doctrine, as in government and jurisdiction. But yet I doe not see, supposing the Bishops Courts to be used uncorruptly, and without any indirect course held to multiply causes for gaine of fees, but that the Bishop might very well for causes of moment, supply his iudiciall function in his owne person. For we see before our eyes, that one *Chancellor* of *England* dispatcheth the suites in equitie of the whole Kingdome; which is not by reason of the excellency of that rare honourable person which now holdeth that place, but it was ever so, though more and lesse burd enous to the sutor, as the *Chancellor* was more or lesse able to give dispatch. And if heed be taken to that which was said before, that the *Bishops* labour in the Word must take up a principall part of his time, so I may say againe, that matters of State have ever taken up most of the *Chancellors* time, having beene for the most part persons, upon whom the Kings of this Realme have most relied for matters of Councell. And therefore there is no doubt, but the *Bishop* whose circuit is lesse ample, and the causes in nature not so multiplying, with the helpe of references and certificates to and from fit persons for the better ripening of causes in their meane proceedings, and such ordinary helps incident to jurisdiction,

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diction, may very well suffice his *Office*. But yet there is another helpe, for the causes that come before him are these. Tythes, Legacies and Administrations, and other testamentary causes, causes Matrimoniall, accusations against Ministers tending to their suspension, deprivation or degrading: Simony, Incontinency, Heresie, Blasphemy, breach of Sabbath, and other like causes of scandall. The first of these two in mine opinion, differ from the rest, that is, Tithes and Testaments, for those bee matters of profit and in their nature Temporall, though by a favour & connivence of the temporall jurisdiction, they have been allowed and permitted to the *Courts Ecclesiasticall*, the one, to the end the *Clergie* might sue for that that was their sustentation, before their owne Iudges, and the other in a kind of piety and Religion, which was thought incident to the performance of dead mens Wils. And surely for these two, the Bishop in mine opinion, may with lesse dangers discharge himselfe upon his ordinary Iudges. And I thinke likewise it will fall out that those sutes are in the greatest number. But for the rest, which require a Spirituall science and discretion in respect of their nature, or of the scandall, it were reason in my opinion there were no audience given, but by the Bishop himselfe, hee being also assisted as was touched before, but it were necessary also hee were attended by his *Chancellor* or some others his Officers,

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ficers, being learned in the *Civil Law*, for his better instruction in pointes of formalitie, or the courses of the Court, which if it were done, then were there lesse use of the *Officials Court*; whereof there is now so much complaint; and causes of the nature aforesaid being onely drawn to the audience of the Bishop, it would repress frivolum and polling sutes; and give a grave and incorrupt proceeding to such causes as shall be fit for the Court.

defense

There is a third point also, not of jurisdiction, but of forme of proceeding, which may discerne Reformation; the rather because it is contrary to the Lawes and Customes of this Land and State, which though they doe not rule those proceedings, yet may they be advised with far better directions, and that is, the Oath *ex Officio*, whereby men are enforced to accuse themselves, and that that is more, are sworne unto Blankes, and not unto accusations and charges declared. By the Lawes of *England*, no man is bound to accuse himselfe. In the highest cases of treason, torture is used for discovery, and not for evidence: In capitall matters, no delinquents answer upon oath is required, no nor permitted. In criminall matters not capitall, handled in the *Starre Chamber*, and in causes of Conscience handled in the *Chancery*, for the most part grounded upon trust & secrecie, the Oath of the party is required. But how? where there is an accusation and an accnsor, which wee call

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call bills of complaint, (from which the complainant cannot vary, and out of the compasse of the which the defendant may not be examined) exhibited unto the Court, and by Proces notified unto the defendant. But to examine a man upon oath out of the insinuation of fame, or out of accusation secret and undeclared, though it haue some countenance from the *Civill-Law*, yet is so opposite *ex diametro* to the sence and course of the *Common-Law*, as it may well receive some limitation.

Concerning the Liturgie, the Ceremonies, and Subscription.

FOR the *Liturgie*, great respect and heed would be taken, lest by inneighing against the dumbe Ministry due reuerence be not withdrawn from the *Liturgie*. For though the gift of Preaching be far aboute that of Reading, yet the action of the *Liturgie* is as high and holy as that of the *Sermon*. It is said, *Domus mea domus orationis vocabitur*, The house of Prayer, not the house of Preaching. And whereas the Apostle saith: *How shall men call upon him on whome they haue not beleued? And how shall they beleue unlesse they heare? and how shall they heare without a Preacher?* It appeareth that as Preaching is the more originall, so Prayer is the more finall, as the difference is betweene the seed and the

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fruit, for the keeping of Gods Law, is the fruit of the teaching of the Law; and *Prayer, or Invocation, or Divine Service, or Liturgie* (for these be but variety of termes) is the mediate allowing of the Name of God: and the principall work of the first Table, and of the great Commandement of the Law of God. It is true, that the *Preaching of the holy word of God*, is the sowing of the seed, it is the lifting up of the brazen Serpent, the Ministry of Faith, and the ordinary meanes of salvation: but yet it is good to take example, how that the best Action of the worship of God may be extolled excessively and superstitiously.

As the extolling of the Sacrament bred the superstition of the Masse; the extolling of the *Liturgie* and *Prayers*, bred the superstition of the Monasticall orders & oraison, and so no doubt preaching likewise may be magnified and extolled superstitiously, as if all the whole body of Gods worship should be turned into an eare. So as none (as I suppose) of sound judgement, will derogate from the *Liturgie*, if the forme thereof be in all parts agreeable to the word of God, the example of the *Primitive Church*, and that *holy decency* which St. Paul commendeth. And therefore first, that there be a set forme of *Prayer* and that it be not left, either to an extemporall forme, or to an arbitrary forme. Secondly, that it consist aswell of laudes, hymnes, & thanksgivings, as of petitions, prayers, and supplications.

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Thirdly, that the Forme thereof be quickned with some shortnesse, & diuersities of *Prayers* & hymnes, and with some interchanges of the voyce of the people as well as of the voyce of the *Minister*. Fourthly, that it admit some distinctions of times and commemorations of Gods principall benefites as well generall as particular. Fifthly, that *prayers* likewise be appropriated to severall necessities and occasions of the Church, Sixthly, that there bee a Forme likewise of words and Liturgie in the administration of the Sacraments, and in the deuouncing of the censures of the Church, and other holy lactions and solemnities. These things I thinke wil not be much controverted.

But for the particular exceptions to the *Liturgie* in Forme as it now stands, I thinke diuers of them allowing they were just, yet seeme they not to bee of weight, otherwise then that nothing ought to be accounted light in matters of *Religion* and *piety*, as the *Heathen* himselfe could say, *Etiam vultu sepe leditur pietas*. That the word *Priest* should not bee continued, especially with offence, the word *Minister* being already made familiar.

This may be said that it is a good Rule in translation, neuer to confound that in one word in the translation, which is precisely distinguished in two words in the original, for doubt of equivocation and traducing. And therefore seeing the word *ἱερεὺς* and *ἱερεὺς* bee alwayes distinguished

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in the original, & the one used for a Sacrificer, the other for a *Minister*, the word *Priest* being made common to both, whatsoever the derivation be, yet in use it confoundeth the *Minister*, with the *Sacrificer*. And for an example, of this kind, I did ever allow the discretion and tendernes of the *Romish* translation in this point, that finding in the original the Word *ἀγάπη* and never *ἔρω*, do ever translate *Charity*, and never *Love*, because of the indifferency and equivocation of the word without impure Love.

Touching the *Absolution*, it is not unworthy consideration whether it may not be thought improper and unnecessary, for there are but two sorts of *Absolution*, both supposing an obligation precedent: the one upon an *Excommunication*, which is *Religious and Primitive*; the other upon Confession and Penance, which is *superstitious*, or at least positive, and both particular, neither generall. Therefore since the one is taken away, and the other hath his proper case, what doth a generall *Absolution*, wherein there is neither Penance nor *Excommunication* precedent? For the *Church* never looseth, but where the *Church* hath bound. And surely, I may thinke, this at the first was allowed in a kind of Spirituall discretion, because the *Church* thought the people could not be suddenly weaned from their conceit of assoyling, to which they had beene so long accustomed.

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For *Confirmation*, to my understanding the state of the question is, whether it be not a matter mistaken and altered by time, & whether that be not now made a subsequent to *Baptisme*, which was indeed an inducement to the *Communion*. For whereas in the *Primitive Church*, Children were examined of their Faith before they were admitted to the *Communion*, time may seeme to have turned it to referre as if it had beene to receive a confirmation of their *Baptisme*. N

For *Private Baptisme*, by Women or Lay-persons, the best *Divines* do utterly condemne it, & I heare it not generally defended, & I have often marvelled, that when the Book in the Preface to publique Baptisme, doth acknowledge that *Baptisme* is the practise of the *Primitive Church*, was an anniversary, and but at set and certaine times, which sheweth that the *Primitive Church* did not attribute so much to the Ceremony, as they will breake an outward and generall order for it, the Book should afterwards allow of Private Baptisme onely to the *Ministers*, should be broken in regard of the supposed necessity. And therefore this point of all others, I thinke was but a *concessum propter duritiam cordis*. m

For the forme of celebrating *Matrimony*; the Ring seemeth to many even of vulgar sense & understanding, a Ceremony not grave, specially to be made (as the words make it) the essentiall part of the

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the action; besides some other of the words are noted in speech to be not so decent and fit.

For *Musicke in Churches*. That there should bee singing of Psalmes and spirituall songs, is not denied, so the Question is *De modo*; wherein if a man will look attentiuely into the order and obseruance of it, it is easie to discerne, *betweene the wisdome of the institution, and the excesse of the late times*. For first, there are no Songs or Verses sung by the Quire, which are not supposed, by continual use to bee so familiar with the people, as they haue them without booke, whereby the sound hurteth not the understanding, and those which cannot read upon the booke, are yet partakers of the sense, and may follow it with their mind. So againe, after the reading of the Word of God, it was thought fit there should be some pause for holy meditation before they proceeded to the rest of the seruice; which pause was thought fit to be filled rather with some graue sound, then with a still silence, which was the reason of the playing upon the Organs after the Scriptures read. All which was decent and tending to edification. But then the curiosity of diuision and reports and other figures of musicke, haue no affinity with the reasonable seruice of God, but were added in the more pompous times.

For the *Cap and Surplice*, since they be things in their nature indifferent, and yet by some held superstitions, & that the question is betweene Science and

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& Conscience, it seemeth to fall within the compass of the *Apostles* rule, which is, that the stronger doe descend and yeeld to the weaker. Onely, the difference is, that it wil be materially said, that the rule holds betweene private man, and private man, but not betweene the conscience of a private man, and the order of a *Church*. But yet since the question at this time is of a toleration, not by connivence which may encourag disobedience, but by the Law which may give a liberty, it is good againe to be advised, whether it fal not within the equity of the former rule, the rather because the silencing of *Ministers* by this occasion, *is in this scarcity* of good Preachers, a punishment that lights upon the people as well as vpon the party. And for the *Subscription*, it seemeth to be in the nature of a confession, and therefore more proper to bind in the unity of *Faith*, and to be urged rather for Articles of doctrine, then for *Rites and Ceremonies and points of outward government*. For howsoever politike considerations and reasons of State may require *Uniformity*, yet *Christian and divine* grounds looke chiefly upon unity.

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Touching a Preaching

Ministry.

TO speake of a learned *Ministry*, it is true, the worthinesse of the *Pastors* and *Ministers* is of all other points of religion the most summary; I doe not say the greatest, but the most effectually towards all the rest. But herein to my understanding, while men goe on in zeale to hasten this worke, they are not aware of as great or greater inconvenience than that which they seeke to remove. For while they inueigh against a dumbe *Ministry*, they make too easie and too promiscuous an allowance of such as they account *Preachers* hauing not respect enough unto their learnings in other Arts, which are hand-maids to Divinity, nor respect enough to the giift it self, which many times is none at all. For God forbid that every man that can take unto himselfe boldnesse to speake an houre together in a Church upon a Text, should be admitted for a *Preacher*, though he meane never so well. I know there is a great Latitude in gifts, and a great variety in Auditories and Congregations, but yet so, as there is a *aliquid infimum*, below which you ought not to descend. For you must rather leave the Arke to shake, as it shall please GOD, than put unworthy hands to hold it up, and when

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when we are in Gods Temple, we are warned rather to put our hands upon our mouth, then to offer the Sacrifice of fools. *And surely, it may be justly thought, that amongst many causes of Atheisme, which are miserably met in our age, as Schismes, and controversies, prophane scoffing in holy matters and others, it is not the least, that divers doe adventure to handle the word of God, which are unfit and unworthy.* And herein I would have no man mistake mee, as if I did extoll curious & affected Preaching, which is as much on the other side to be disliked, and breeds *atheisme* and scandall as well as the other (for who would not be offended at one that comes into the pulpit, as if he came upon the stage, to play parts or prizes,) neither on the other side, as if I would discourage any who hath any tolerable gift.

But upon this point, I ground three considerations, whether it were not requisite to renew that good Exercise which was practised in this Church some yeares; and afterwards put downe, by order indeed from the Church in regard of some abuse thereof, inconvenient for those times, and yet against the advise and opinion, of one of the greatest and gravest Prelates of this Land, and was commonly called Prophecyng, which was this; That the Ministers within a Precinct, did meete upon a weeke day, in some principall Towne, where there was some ancient grave Minister, that was President, and an Auditory admitted

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mitted of Gentlemen, or other persons of leasure; then every minister successively beginning with the youngest did handle one and the same piece of Scripture, spending severally some quarter of an houre or beter, and in the whole, some two houres; and so the Exercise being begun and concluded with prayer, and the president giving a text for the next meeting, the Assembly was dissolved. And this was I take it, a fortnights Exercise, which in my opinion was the best way to frame and trayne up Preachers to handle the word of God as it ought to be handled, that hath beene practised. For we see Orators have their Declamations, Lawyers have their mootes, Logicians their Sophems, and every practise of Science hath an exercise of erudition and imitation, before men come to the life, onely Preaching which is the worthiest, and wherein it is most danger to doe amisse, wanteth an introduction, and is ventred and rushed upon at the first; but unto this exercise of the Prophecie I would wish these two additions; the one, that after this exercise, which is in some sort publique, there were immediatly a private meeting of the same Ministers where they might brotherly admonish the one the other, and especially the elder sort the younger, of any thing that had passed in the Exercise in matter or manner unsound and uncomely.

And in a word might mutually use such advise, instruction, comfort or encouragement, as occasion might

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might minister, for publike reprehension were to be debarred.

The other addition that I meane, that the same Exercise were used in the *Vniuersities*, for yong *Divines*, before they presumed to Preach as well as in the Country for *Ministers*, for they have in some Colledges an exercise called a Common-place, which can in no degree, be so profitable, being but the speech of one man at one time. And if it be feared that it may be occasion to whet mens speeches for *Controversies*, it is easily remedied by some strict prohibition, that matters of *Controversie* tending any way to the violating or disquieting the peace of the Church, be not handled or entred into; which prohibition in regard thereto is ever to be a grave person *President* or *Moderator*, cannot be suffered. The second consideration is, whether it were not convenient there should be a more exact probation and examination of *Ministers*. Namely, that the *Bishops* doe not ordaine alone, but by advise, and then that the ancient holy orders of the Church might be revived, by the which the *Bishop* did ordaine *Ministers* but at foure set times in the yeare, which were called, *Quatuor tempora*, which are now called *Ember weekes*; it being thought fit to accompany so high an action with generall *Fasting*, and *Prayer*, and *Sermons*, and all holy exercises. And the names likewise of those that were ordayned were published

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some dayes before their ordination, to the end, exceptions might be taken if iust cause were.

The third consideration is, that if the case of the Church of *England* be, that where a computation is taken of all the *parochian Parishes*, as allowing the union of such as were too small, and adjacent, and againe, a computation to be taken of the persons, who are worthy to be *Pastors*. And if upon the said account it fall out, *that there are many more Churches then Pastors*, then of necessity, recourse must be had to one of these remedies; eyther that *Pluralities* must be allowed, specially if you can by permutations make the benefices more compatible, as there be allowed *Preachers* to have a more generall charge to supply & serve by turne *Parishes* unfurnished. For that some Churches should bee provided of *Pastors* able to teach, and other wholly destitute, seemeth to me to be against the Communion of Saints, and *Cristians* and against the practise of the *Primitive Church*.

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Touching the abuse of
Excommunication.

Excommunication is the greatest judgment upon the Earth, being that which ratified in Heaven, and being a *precursorie* or *prelusorie* judgement of Christ in the end of the world; and therefore for this to be used unreverently, and to be made an ordinary proceſſe to lacky up and downe for fees, how can it be without derogation to Gods honour, and making the power of the keies contemptible? I know very well the defence thereof, which hath no great force, That it issues forth, not for the thing it selfe, but for the contumacy. I doe not deny but this Iudgement is as I said before, of the nature of Gods judgement, of the which it is a modell; For as the judgement of God taketh hold upon the least sinne of the impenitent, so *Excommunication*, may in case issue upon the smallest offence, and in case not issue upon the greatest, but is this contumacy, such a contumacy as *Excommunication* is now used for? For the contumacy must be such, as the party as farre as the eye and wisdom of the Church can discern, standeth in state of reprobation and damnation, as one that for that time seemeth given over to finall impenitency. Vpon this observation I ground two considerations; The one, that

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this censure bee restored to the true dignity and use thereof, which is, that it proceed not in cases of great weight, and that it be decreed not by any Deputy or *substitute* of the *Bishop*, but by the *Bishop* in person; and not by him alone, but by the *Bishop* assisted.

The other Consideration is, that in lieu thereof there be given to the *Ecclesiasticall Courts*, some ordinary processe, *with such force and coercion, as appertaineth*. That so the dignity of so high a sentence being retained, and the necessity of meane processe supplied, the *Church* may be indeed restored to the ancient vigor and splendor. To this purpose joyned with some other holy and good purposes, was there a Bill drawne in Parliament in the three & twentieth year of the raigne of the *Queen* deceased, which was the gravest Parliament that I have knowne, and the Bill recommended by the gravest Counsellor of estate in *Parliament*, though afterwards it was stayed by the *Queenes* speciall commandement, the nature of those times considered.

Touching the Nonresidents and Pluralities.

FOR *Non residents* except it bee just of necessary absence, it seemeth to be an abuse drawne out of covetousnesse and sloath; for that men should live of

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of the flocke that they doe not feede, or at the Altar at which they doe not serve, is a thing that can hardly receive just defence: And to exercise the office of a Pastor in matter of sword and Doctrine by deputy, is a thing not warranted, *as hath beene touched before.* The questiō upon this point doth chiefly arise upon the cases of exception, and excusation, which shall be thought reasonable and sufficient, & which not; for the case of Chaplaines, let me speake that with your Majesties pardon, and with due reverence towards other Peeres and grave persons, *which are by Statutes priviledged,* I should thinke that the attendance which Chaplaines give to your Maiesties Court, and in the Houses and Families of their Lords, were a juster reason why they should have no Benefice, then why they should be qualified to have two, for as it standeth with Christian policy *that such attendance be in no wise neglected;* because that good which ensueth thereof to the Church of God, may exceed or countervaille that which may follow of their labours in any, *though never so large a congregation,* so it were reasonable that their maintenance should liberally proceed thence *whence* their labours be employed.

Neither are there wanting in the Church, Dignities and preferments not ioyned with any exact cure of soules, by which and by the hope of with such attendants in ordinary, who ought to be as for the most part they are of the best gifts and fort

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fort may be further encouraged and rewarded, and as for extraordinary attendants, they may very well retaine the grace and countenance of their places and duties at times incident thereunto, without discontinuance or *non residence* in their Pastorall charges.

Next, for the case of intending studyes in the *Vniuersities*, it will now easily receive an *answer*, for studies doe but serue and tend to the practise of those studyes, And therefore by that which is most principall and finall to be left undone, for the attending of those which is *subseruiens* and *subministrans*, seemeth to bee against proportion of reason. Neither doe I see, but that they proceed Right-well in all knowledge, which doe couple study with their practise, and doe not first study altogether, and then practise altogether. And therefore they may very well study at their Benefice. Thirdly, for the case of *extraordinary service of the Church*, as if some Pastor be sent to a generall Councell, or here to a Convocation, and likewise for the case of necessity, as in the particular of infirmity of body, and the like, no man will contradict, but there may be some substitution for such a time. But the generall case of necessity, is the case of *Pluralities*, the want of Pastors and insufficiency of livings considered, *Positio*, that a man doth faithfully and incessantly divide his labours betweene two Cures, which kind of necessity I come now to speake of, in the handling of *Pluralities*.

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For *Pluralities*, in case the number of able Ministers were sufficient, and the value of the Benefices were sufficient, then *Pluralities* were in no sort tolerable. But wee must take heed we desire not contraries; For to desire that every Parish should be furnished with a sufficient *Preacher*, and to desire that *Pluralities* be forthwith taken away, is to desire things contrary, considering *de facto*, there are not sufficient *Preachers* for every Parish; whereto adde likewise, that there is not sufficient living and maintenance in many parishes to maintaine a *Preacher*, and it makes the impossibility yet much the greater. The remedies in *rerum natura*, are but three, *Union*, *Permutation*, and *Supply*. *Union*, of such Benefices as have the living too small, and the parish not too great, and are adacent. *Permutation*, to make Benefices more compatible men be over-ruled to some losse in changing a better for a nearer. *Supply* by stipendary *Preachers* to be rewarded with some liberall stipends to supply as they may, such places which are unfurnished of sufficient Pastors, as Queen *Elizabeth* amongst other her Christian acts, did erect certaine of them in *Lancashire*, towards which persons, I see no reason but reading Ministers if they have rich Benefices should be charged.

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Touching the provision for sufficient maintenance in the Church.

Touching Church maintenance it is well to be weighed, what is *Iure divino*, and what is *Iure positivo*; it is a constitution of the Divine law, where-from *Humane* lawes cannot derogate; that those that feed the flock, should live of the flock, that those which serve at the Altar, should live of the Altar; and which dispence Spirituall things, should reape Temporall things. Of which it is also an appendix, that the proportion of this maintenance be not small or necessitous, but plentiful & liberall; so that all the places and offices in the Church have such a donation, that they may be maintained according to their severall degrees, is a constitution permanent and perpetuall. But for particularity of the endowment, whether it should consist in Tythes, or Lands, or persons, or mixt; it may make a question of convenience, but, no question of precise necessity. Again, that the case of the Church *De facie* is such, that there is want in the Church of patrimony, is confessed for the principall places; namely the Bishops livings are in some particulars not sufficient; and therefore inforced to bee supplied by toleration of *Commendams*, things in themselves unfit and ever held of no good report.

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And as for the Benefices and Pastors places, it is manifest, that many of them were very weake and penurious; on the other side, that there was a time when the Church was rather burdened with superfluity then with lacke; that is likewise apperent, but it was long since, so as the fault was in others, the want redoundeth upon us againe.

And therefore, that it were to be wished that Impropriations were returned to the Church as the proper and naturall endowment thereof.

As a thing likewise whereon mens judgments will not much vary. Also, that it is an impossibility to proceed eyther to their resumption or redemption, is as plaine on the other side; for men are stated in them by the highest assurance of the Kingdome, which is Act of Parliament, and the value of them amounteth much aboue tenne Subsidies. And the Restitution must of necessity passe their hands, in whose hands there is interest and possession.

But of these things which are manifestly true, to in ferre and ground some conclusions; First, for mine owne opinion, and since I must confesse, let me speake it with reuerence, that all the Parliaments since the 27. and 31. of King Henry 8 who gaue away Impropriations from the Church, seeme to me to stand in some sort obnoxious and obliged to GOD in Conscience to doe somewhat for the Church, to reduce the Patrimony there-

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of to a competencie; for since they have debarred Christs wife of a great part of her Dowrie, it were reason they made her a competent Ioynture. Next to say, that Impropriations should be onely charged, *that carrieth neither possibility nor reason.* Not possibility for the reason touched before. Not reason because if it be conceived that any other persons be charged it should be a recharge or double charge, in as much as he payeth Tythes to the Church, so the Realme hath taken that away againe from the Church, and gave them to the King, as they might give their tenth sheaffe, or ninth sheaffe; and therefore the first giift being evacuated, it cannot goe in defeazance or disgrace of that perpetuall bond whereby men are bound to maintaine Gods Ministers. As we see in example, *that diuers godly and well disposed persons doe put in ure who are content to increase their Preachers livings,* which though in Law it be but a benevolence, yet before God, it is but a conscience. Farther that Impropriations should not be somewhat more deeply charged then other renewes of like value; me thinkes it cannot well be denyed, both in regard of the ancient claim of the Church and the intention of the first giver. And againe, because *they have passed in valuation betweene man and man somewhat at the lesse rate, in regard of the said pretence or claime in Conscience before God :* But of this point touching Church maintainance, I doe not think fit to enter into a
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farther particularity, but reserve the same to a fit time.

Thus have I in all humbleness and sincerity of heart, to the best of mine understanding, given your Majesty tribute of my cares and cogitations in this holy businesse, so highly tending to Gods glory, your Majesties honour, and the peace and welfare of your States; in so much, as I am perswaded the Papists themselves should not need so much the severity of the penall Lawes, if the sword of the Spirit were better edged, by strengthening the authority, and suppressing the abuses in the Church.

To conclude therefore, renewing my most humble submission of all that I have said, to your Majesties most high wisdom; and againe most humbly craving pardon for ^{any} error committed in this writing, with the same weaknesse of Iudgment which suffered me to commit them, would not suffer mee to discover them.

I end with my devout and fervent prayer to GOD, that as hee hath made your Majesty the corner stone in joyning your two Kingdomes, so you may bee also as a corner stone to unite and knitt together these differences in the

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Church of GOD, to whose heavenly grace, and al-
ver erring Direction, I commend your Maje-
sties Sacred person and all your
doings.

[***]

July 28. 94.

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